

EXHIBIT B

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Attorneys for Defendant BlendJet Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,

Defendant.

**DEFENDANT BLENDJET INC.'S
SUPPLEMENTAL DESIGNATION OF
SEARCH TERMS**

Civil No. 2:21-cv-00668-TC-DBP

Judge Tena Campbell
Magistrate Judge Dustin B. Pead

Pursuant to Federal Rules of Civil Procedure 26 and 34, and the Amended ESI Protocol governing this case (Dkt. 33), Defendant BlendJet Inc. (“BlendJet”) hereby submits its Supplemental Designation of Search Terms to Plaintiff Blendtec Inc. (“Blendtec”), to be used in the searching and production of email custodial ESI in accordance with the Federal Rules of Civil Procedure and the manner set forth in the Amended ESI Protocol.

DEFINITIONS

The following definitions are applicable to terms employed herein.

1. The term “email custodial ESI” means and refers to email stored, assigned, and/or maintained any Designated ESI Custodian, and that is in Blendtec’s possession, custody, or control. (*See* Amended ESI Protocol at ¶ 35.)
2. For each Designated ESI Custodian listed herein, Blendtec shall search the Designated ESI Custodian’s email custodial ESI in the manner outlined in Paragraphs 25-45 of the Amended ESI Protocol (*i.e.*, search the email custodial ESI with the search terms provided by BlendJet, provide BlendJet with a report disclosing the number of “hits” associated with each proposed search term, and then produce the hits that are relevant and responsive to the Requests for Production).
3. The search terms provided below for each designated Blendtec ESI Custodian are not case sensitive, and in all cases are intended to capture possessive and plural versions of each provided term, as well as common misspellings of those terms (which shall be construed as responsive to the search terms provided below).

SEARCH TERMS FOR EMAIL CUSTODIAL ESI

Pursuant to Paragraphs 35 through 45 of the Amended ESI Protocol, and its past reservation of rights to serve additional requests for email custodial ESI up to the ten (10) search terms per custodian as set forth in Paragraphs 29 and 36 of the Amended ESI Protocol, BlendJet hereby identifies the following search terms for use in searching the email custodial ESI for each Designated ESI Custodian presented below:

Blendtec ESI Custodian No. 2: Keith Titus

9. blendid

10. enlisted

Blendtec ESI Custodian No. 6: Mike Boswell

9. byu or “brigham young”

10. enlisted

Blendtec ESI Custodian No. 7: Benton Cutler

9. byu or “brigham young”

10. enlisted

Blendtec ESI Custodian No. 8: Chris Georgeson

9. byu or “brigham young”

10. enlisted

Dated: February 28, 2023

MCGILL & CO., P.C.

By

/s/ Patrick McGill

PATRICK MCGILL

Attorneys for Defendant BlendJet Inc.

CERTIFICATE OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Diego, State of California. My business address is 5580 La Jolla Blvd, Suite 39, La Jolla, CA 92037.

On February 28, 2023, I caused to be served a true copy of **DEFENDANT BLENDJET INC.'S SUPPLEMENTAL DESIGNATION OF SEARCH TERMS** on the interested parties in this matter as follows:

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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Attorneys for Plaintiff Blendtec, Inc.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 28, 2023, at San Diego, California.

By: /s/ Patrick McGill
Patrick McGill